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Meeting of States Parties

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Letter dated 15 May 2003 from the Chairman of the Commission on the Limits of the Continental Shelf addressed to the President of the thirteenth Meeting of States Parties

1. It is my honour to address the Meeting of States Parties to the United Nations Convention on the Law of the Sea for the first time in my capacity as Chairman of the Commission on the Limits of the Continental Shelf, and to inform you about recent developments in the work of the Commission.

2. At the time of the second election of the 21 members of the Commission during the twelfth Meeting of States Parties (April 2002), the Commission was in the process of examining its first submission by a coastal State, that of the Russian Federation. As you are aware, article 76 of the United Nations Convention on the Law of the Sea provides the rules by which coastal States may establish the outer limits of their continental shelves beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

3. The subcommission established to examine the Russian submission had completed its deliberations and formulated its recommendations to the Commission by 14 June 2002. Those recommendations were reviewed and discussed during the subsequent eleventh session of the Commission in June 2002, and the recommendations as modified and adopted by the Commission as a whole were then conveyed to the submitting State and to the Secretary-General. Information regarding the consideration of the submission by the Commission, as well as a summary of its recommendations, are contained in the report of the Secretary-General entitled "Oceans and the law of the sea" (A/57/57/Add.1, paras. 27-41). Other matters related to the work of the Commission are also reflected in paragraphs 42 to 56 of the report.

4. It may be recalled that the Commission was established to perform two specific functions, as set out in article 3 (1) of Annex II to the Convention:

(a) To consider the data and other material submitted by coastal States concerning the outer limits of the continental shelf in areas where those limits extend beyond 200 nautical miles, and to make recommendations in accordance with article 76 and the Statement of Understanding adopted on 29 August 1980 by the Third United Nations Conference on the Law of the Sea;

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(b) To provide scientific and technical advice, if requested by the coastal State concerned during the preparation of the data referred to in subparagraph (a).

5. The Commission is currently prepared both to accept further submissions from coastal States and to provide any scientific and technical advice that States preparing submissions may wish to obtain. Further information regarding the provision of advice may be obtained from the Commission's page at the web site of the Division for Ocean Affairs and the Law of the Sea of the United Nations Office of Legal Affairs at www.un.org/Depts/los/clcs_new/clcs_home.htm.

6. At its twelfth session, which was held from 28 April to 2 May 2003, the Commission took up a number of items to facilitate the process of dealing with submissions by coastal States. This included a review of its procedural and organizational documents with a view to aligning their provisions. More information regarding the consideration of this matter may be found in the statement of the Chairman on the progress of work in the Commission (CLCS/36, paras. 8-10). It was decided, inter alia, to consolidate the provisions of an operational nature contained in the modus operandi of the Commission (CLCS/L.3) and the internal procedure of the subcommission (CLCS/L.12) into one document, with editorial improvements, and to retain the Rules of Procedure of the Commission as a separate document (CLCS/3/Rev.3 and Corr.1).

7. The Commission decided, in regard to concerns centring around the issue of confidentiality of the recommendations, that the recommendations of the Commission should in future include an executive summary, containing a general description of the extended continental shelf, as well as a set of coordinates and illustrative charts, if appropriate, to identify the line describing the outer limits recommended by the Commission. The Secretary-General would then be in a position to publicize the executive summary at his discretion.

8. In regard to actions taken recently in furtherance of the development of the knowledge and skills for preparation of a submission in respect of the outer limits of the continental shelf provided for by the Convention, the Commission was informed by the Secretariat on the status of preparation of a training manual that was being prepared by the Division for Ocean Affairs and the Law of the Sea. Two coordinators, who are members of the Commission, have already prepared a detailed outline of the manual, and had invited a number of experts from both within and outside of the Commission to participate in its preparation.

9. Also, in the context of assisting coastal States in preparing their submission, a Trust Fund had been created by the General Assembly at the urging of the tenth Meeting of States Parties in May 2000 (SPLOS/60, para. 60) in accordance with paragraph 18 of General Assembly resolution 55/7 of 30 October 2000. Interested developing States, especially least developed States and small island developing States, have applied for assistance from the Fund, and several requests for reimbursement from the Fund for training were received and are in various stages of completion.

10. The Commission would like to remind the States Parties of the availability of funds for such purposes. The Commission would also like to call for additional political and financial support for this Trust Fund, as well as for programmes, especially for developing countries, within the United Nations system and through other appropriate international or regional organizations.

11. A second Trust Fund was also established to help developing States defray the costs of the participation of members of the Commission whom they had nominated. Two developing States have taken advantage of this opportunity to send members to attend the most recent session of the Commission.

12. The Commission would also like once again to express its appreciation of the observer status granted to it at the last Meeting of States Parties, and to assure the States Parties of its readiness to continue to perform its mandated functions with a view to ensuring that the vision of the drafters of the Convention regarding the role of the Commission in the establishment of the outer limits of the extended continental shelf is fulfilled.

13. I would like to request that this letter be circulated as an official document of the thirteenth Meeting of States Parties.

(*Signed*) Peter F. **Croker**
Chairman of the Commission on the Limits of the Continental Shelf